

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: STEIN=11

In re Application of:) Confirmation No. 5701
Shai STEIN et al.) Art Unit: 2617
Appln. No.: 10/587,931) Examiner: Michael Y. Mapa
Filed: August 2, 2006)
For: SUPPORTING MOBILE)
COMMUNICATIONS SESSION...)

**DECLARATION IN SUPPORT OF INVENTORS' DECLARATION
UNDER 37 CFR 1.131**

I, Shai Stein, declare and state the following:

I am an engineer, employed by ECI Telecom Ltd. (hereinafter ECI), where I presently hold the position of the Chief Technology Officer (CTO), and am one of the inventor's of the above-identified U.S. application.

During the period between February 12 and April 1, 2004, I also held the position of Chief Technology Officer (CTO), with general responsibilities for leading and supervising R&D activities, and developing technological strategies of the company.

All of the activities discussed below took place in the State of Israel subsequent to January 1, 1996.

During the period of February 12 to April 1, 2004, I was heavily engaged in a number of projects, including review and commenting on two Israeli patent applications that were given the designations "A036" and "A037". I am a joint inventor in each of those applications, which are directed to closely related subject matter. At that time, ECI considered that the A037 application had a slightly higher priority. The above-identified U.S.

application claims priority from the A036 application. On information and belief, the U.S. patent publication of the application claiming the benefit of the A037 application is U.S. Pat. Pub. 2007/0121576.

Prior to February 12, 2004, I received, via e-mail, a draft of the A036 application for Israeli patent for an invention made jointly by Mr. Moredechay Morgenstern and me. A copy of that draft is submitted herewith as Exhibit E and a copy of the e-mail with which that draft was sent is attached as Exhibit D. The date has been redacted from Exhibit D, but it is prior to February 12, 2004.

On February 16, 2004, I received from co-inventor Moredechay Morgenstern a draft of the A037 application for Israeli patent. A copy of an e-mail transmitting the draft of the A037 application is submitted herewith as Exhibit I and a copy of that draft is submitted herewith as Exhibit G.

During the period between February 12, 2004, and February 18, 2004, I reviewed the drafts as time permitted. However, during that period I was also required to deal with a number of other urgent business matters, as evidenced by copies of e-mails submitted herewith as Exhibit H.

Between February 16 and 18, 2004, I was required to travel to Sweden on a business matter, as evidenced by an Account Report for Travel, a copy of which is submitted herewith as Exhibit J.

On February 19, 2004, I, along with co-inventor Moredechay Morgenstern, met with Mr. Gil Ingel, then VP Intellectual Property of ECI Telecom, and Ms. Helena Levin, a Patent Attorney with ECI Telecom, to discuss the draft of the A036 application, during which various revisions were discussed

On February 22, 2004, I received a revised draft of the A037 application as an attachment to an e-mail of that date from Ms. Levin. The e-mail and attachment are submitted herewith as Exhibits M and N, respectively.

On information and belief, Ms. Helena Levin and co-inventor Moredechay Morgenstern worked on the patent applications after the meeting of February 19, 2004, and until March 17, 2004, as is evidenced by their declarations, which I understand are being submitted on even date herewith.

On March 17, 2004, I, along with co-inventor Moredechay Morgenstern, met with Mr. Gil Ingel and Ms. Helena Levin to discuss a revised draft of the A036 application, during which various further revisions were discussed.

On information and belief, Ms. Helena Levin and co-inventor Moredechay Morgenstern worked on the draft application from after the meeting on March 17, 2004, until the application was filed in Israel on April 1, 2004, as is evidenced by their declarations, which I understand are being submitted on even date herewith.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

8.12.09

Shai Stein
Chief Technology Officer
Shai Stein
